

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MICHAEL MALOTT,

Plaintiff,

Case No. 2:12-CV-405

v.

Hon. Gordon J. Quist

LINCOLN MARSHALL, et al.,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on February 13, 2014 recommending that Defendants' motion for summary judgment be denied. The Report and Recommendation was duly served on the parties on February 13, 2014. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge filed February 13, 2014 (dkt. # 58) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (dkt. # 49) is **DENIED**.

Dated: March 5, 2014

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE